



WEB COPY



W.P. No. 28362 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 27.10.2022**

**CORAM**

**THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU**

**W.P. No. 28362 of 2022**

P.Dhaktchinamurthy

... Petitioner

-VS-

The Commissioner,  
Cuddalore Municipality,  
Cuddalore.

... Respondent

**Prayer:-** Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondent to consider the representation made by the Petitioner on 17.08.2022 requesting the Respondent not to insist the rent arrears for the Petitioner shop.

For Petitioner : Mr. P.K.Harinath Babu

For Respondent : Mr. W.P.Mauriya

**O R D E R**

Heard Mr. P.K.Harinath Babu, Learned Counsel for the Petitioner and Mr. W.P.Mauriya, Learned Counsel, who takes notice for the Respondent, and perused the materials placed on record, apart from the pleadings of the parties.



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2. The Writ Petition has been filed to direct the Respondents to pass orders on the representation dated 17.08.2022 made by the Petitioner, who is a tenant in occupation of Shop No. 30 in commercial complex situated at Thirupathiripuliyur Bus Stand belonging to the Respondent, in which he has requested not to insist for rental arrears during the period from April 2020 to March 2022 on account of COVID pandemic.

3. Learned Counsel for the Respondent, on instructions, states that except for the period from 01.04.2020 to 31.05.2020 as per G.O. (D) No. 298, Municipal Administration and Water Supply (MA.IV) Department dated 02.09.2022 issued by the Government of Tamil Nadu, it is not possible to accept to the request for waiver of rent made by the Petitioner for the entire period sought by him. As such, it would be futile to direct the Respondent to pass orders on the said representation dated 17.08.2022 made by the Petitioner in this case. In that backdrop, Learned Counsel of the Petitioner seeks permission to withdraw the Writ Petition with liberty to the Petitioner to make representation for payment of the rental arrears in installments and he has made an endorsement to that effect in the court record.



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4. In fine, the Writ Petition is dismissed as withdrawn granting such liberty.

No costs.

27.10.2022

vjt

Index: Yes/No

**Note: Issue order copy by 10.11.2022.**

To

The Commissioner,  
Cuddalore Municipality,  
Cuddalore.



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**P.D. AUDIKESAVALU, J.**

**vjt**

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